software from unauthorised use. As readable thereon, it requires existence of an identity software in association with a processing means as a pre-condition for providing user access to the software desired to be protected on the processing means ; wherein said identity software being for enabling electronic money transfer operation(s) for which a rightful user of said software desired to be protected has to be responsible . Although not indicated in claim 1, it is obvious that the identity software is stored in a computer device and is not in a human visible form and not accessible to any one else except under the permission of the rightful user.

It is an essential feature in Haas et al.'s teaching that a rightful user's credit card number has to be displayed, and it is therefore not obvious to one with ordinary skill in the art to modify it by not having the credit card number to be displayed; and further to make use of the electronic transaction capability of the credit card number to create a software to enable a processing means such as a computer to make electronic money transfer operation(s) to meet requirement of "identity software" of claim 1; and still further, requires a favourable result of a determination of existence of such an identity software as a pre-condition for providing user access to the software desired to be protected, but "without causing an electronic money transfer operation being performed", so as to amount to the present invention as defined by claim 1, which is a method useful for protecting a software from unauthorised use at a time after purchase and no further payment for the use thereof is to be made.

It is respectfully submitted that "the credit card number to be displayed" of Haas et al. disclosure and "credit card number exist in a software to ~~make~~ enable internet transactions" exist in a computer in 2 technical distinguishable forms. The reason is, the former is in human readable form and the latter is in a form agreeable with a common communication protocol for communicate to/understandable by an existing remote transaction system. Therefore, "the credit

card number to be displayed" of Haas et al. cannot meet the requirement of "identity software being for enabling electronic money transfer operation(s)" of claim 1.

Further, Wiedemer merely disclose an identity means which being a billing module, "that leads to a billing charge, but does not disclose the step of not causing an operation for which an authorized user is responsible for", as the Examiner admitted in his office action. It is respectfully submitted that, it is impossible for one with ordinary skill in the art to modify Wiedemer's billing module which most important purpose is to charge a user for usage of software, to not charge the user so as to meet the important limitation of claim 1 that "access to said software desired to be protected is being provided without causing an electronic money transfer operation being performed". And, it would also not be obvious to one with ordinary skill in the art to apply Haas et al. to Wiedemer as the existence of billing operation is already providing a better discouraging effect-it requires actual payment.

Accordingly, 103(a) rejection of claim 1 basing on Haas et al. and Wiedemer should be withdrawn and is respectfully requested.

Comments On Patentability of Claim 12

In the Final Office action, P.4, section 6, the Examiner rejects Claim 12 as being unpatentable over Wiedemer in view of Haas et al (issued on Feb 17, 1998, filing date Aug 1, 1994) under 35 U.S.C. § 103(a).

The Examiner also states that, in the Final Office action, P.2, section 3, claim 12 recites "verifying said account, by an electronic transaction system", this is shown in Haas et al. at column 3 lines 55-60.

The Examiner's rejection is respectfully traversed. Although not readable on claim 12,

the present invention as definited by claim 12 is directed to a method for protecting a data processing apparatus from unauthorised use. It is respectfully submitted that, it is an innovative feature of the present invention as defined by independent claim 12 that , verifying identity of a user of a data processing apparatus, I) by receiving information specific to a user and necessary for accessing an account of the user; II) verifying the user account being valid; III) and using the account validity being verified as a pre-condition for providing user access to at least a part of the functionality of the data processing apparatus, **without charging the account and that at least a part of functionality being not related to the validity status of said account**.

Throughout Haas et al and Wiedemer, whole document, there is no disclosure or suggestion that "validity of a user account should be checked, without charging the account for providing the user access to a data processing apparatus", as required by claim 12. In Haas et al. at column 3 lines 55-60, "the user i transmits ...his credit card number (for billing purposes)", it is clear that the credit number which is for billing purposes cannot meet this important requirement of claim 12 .

Accordingly, 103(a) rejection of claim 12 basing on Haas et al. and Wiedemer should be withdrawn and is respectfully requested.

Respectfully submitted,

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